

## **REMARKS/ARGUMENTS**

### **1. Claim Amendments**

The Applicant has amended claims 1-15 to remove parentheticals and other typographical and/or grammatical errors and multiple claim dependencies and claims 16-30 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-15 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **2. Claim Rejections – 35 U.S.C. § 101**

The Examiner rejected claims 16-28 under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. The instant claims neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. The Applicant has canceled claims 16-28.

### **3. Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 16, 18-19 and 29-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over in Khullar et al. U.S. Patent Application Publication No. US 2002/0181407 A1, in view of Khayrallah et al., U.S. Patent 6,711,124 82. In order to expedite allowance of this application, the Applicant has canceled the claims 16, 18-19 and 29-30 without prejudice. Therefore, this rejection with respect to these claims is deemed to be moot.

**4. Allowable Subject Matter**

The Applicant gratefully acknowledges the allowance of claims 1-15.

**5. Prior Art Not Relied Upon**

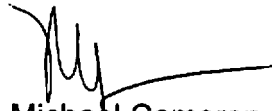
In paragraph 4. on page 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. None of the cited references alone disclose, or combination disclose or suggest, the present invention as claimed in claims 1-15.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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